**Development and Resource Management Department**



2600 Fresno Street-Third Floor **Jennifer K. Clark, Director** Fresno, California 93721-3604

(559) 621-8277 FAX (559) 498-1026

June \_\_\_, 2019 *Please reply to:*

Planner

(559) 621-8000

Land Development Consultants, LLC

c/o William Scarbrough

[bill@ldcaz.com](mailto:bill@ldcaz.com)

(sent via e-mail only)

**SUBJECT: ZONE CLEARANCE APPLICATION NO. P18-XXXXX FOR A PROPOSED DUPLEX FOR \_\_\_\_\_\_\_ ZONED PROPERTY LOCATED AT ##### \_\_\_\_\_\_\_ AVENUE/STREET (aPN: ###-###-##)**

Pursuant to Section 15-5102 of the Fresno Municipal Code (FMC) a Zone Clearance is required to confirm that the construction of one duplex is permitted as a matter of right and that such a project is being proposed in a manner which is compliant with, and without any deviations from, all applicable development standards prior to securing a building permit.

NOTE: If a proposed development project does not meet the threshold for a Zone Clearance it shall be required to secure a Development Permit in accordance with the provisions of Article 52 of Chapter 15 of the FMC.

Applications for a Zone Clearance shall be submitted in accordance with the provisions set forth in Section 15-5002, Application and Fees (Section 15-5104-A FMC).

The Director may request that the Zone Clearance application be accompanied by a written narrative, operational statement, plans, and other related materials necessary to show that the proposed development, alteration, or use of the site complies with all applicable provisions of this Code. The Director may require attachments of other written or graphic information, including but not limited to, statements, numeric data, site plans, floor plans and building elevations and sections, as a record of the proposal’s conformity with the applicable regulations of this Code (15-5104-B FMC).

1. **GENERAL (APPLICABLE TO ALL PROJECTS)**

*(“No” answers require that comments be provided within the respective area of the checklist below. Applicants shall demonstrate compliance with any comments provided within this checklist prior to issuance of building permits.)*

|  |  |  |
| --- | --- | --- |
| Yes / No  / |  | **Legal Description**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  *(Is the subject lot or parcel a Legal Lot of Record?)*  [*Link to guidance document for determining legal lots of record.*](file:///\\fresno.gov\data\DEV\Develop\Plan\Common\%60%60DRC\DRC%20document%20templates\nothing)  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Property Dimensions:** \_\_\_\_\_\_\_\_\_\_\_\_ x \_\_\_\_\_\_\_\_\_\_\_\_ ft.  Lot Area: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ sq. ft. / \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ac.  *(Are property lines consistent with lots of record and/or with lots created lawfully in accordance with State law and the FMC; and, are all property lines dimensioned?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Easements: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  Locations and widths for existing and proposed easements for drainage, sewerage, private and public water lines, public utilities, irrigation canals, and other purposes shall be shown on the site plan.  *(Are all existing and/or proposed structures, including projections and eaves, located outside of any respective easements located on the subject property; and are all easements depicted, dimensioned and notated? Review available record information based upon Plats, Parcel Maps, Records of Survey, Lot Line Adjustments, Preliminary or Title Reports when available, etc.)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Existing Structure(s):**  Any existing aboveground uses or structures such as buildings, water wells, power lines, towers, fences, swimming pools, equipment, etc., shall be shown on the site plan, and the intended disposition of each use or structure must be indicated (e.g., to remain, to be removed).  BUILD Act Applicable? / Number of previous residential units: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  [*Link to Ordinance No. ####-### / Bill No. B-## (BUILD Act).*](file:///\\fresno.gov\data\DEV\Develop\Plan\Common\%60%60DRC\DRC%20document%20templates\nothing)  *(Are all existing and/or proposed structures shown on the site plan; and, are any existing structures which will remain on the subject property permitted and compliant with all development standards of the respective zone district for the subject property?*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Building Height:**  New development projects shall comply with maximum height limitations for respective zone districts.  *(Are all proposed structures, including main buildings and accessory structures or site features, compliant with the maximum height limitations for the respective zone district?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Setbacks: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  New development projects shall comply with all required setbacks identified within the development standards for respective zone districts.  Prevailing block setback applicable? / Prevailing setback requirement: \_\_\_\_\_\_\_\_  Freeway/Railroad 50-foot setback applicable?  *(Are all existing and/or proposed structures, including garages, compliant with the respective setbacks for the subject property? Review in accordance with Section 15-313 of the FMC; and, the development standards of the respective zone district.)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Projections:**  Building projections may extend into, and other encroachments may be located in, required yards according to the standards of Table 15-2014 and are subject to all applicable requirements of the Building Code. The "Limitations" column states any other limitations that apply to such structures when they project into required yards. For standards for measurement of required yards and setbacks, refer to Section 15-313, Determining Setbacks and Yards.  *(Are all existing and/or proposed structures, including garages, compliant with the allowable building projections and encroachments provisions for the subject property pursuant to Section 15-2014 of the FMC?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Lot Coverage: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  Lot coverage is the ratio of the total footprint area of all structures on a lot to the net lot area, typically expressed as a percentage. (The footprints of all principal and accessory structures, including garages, and carports shall be included in the lot coverage calculation, unless otherwise noted in accordance with Section 15-311 of the FMC.)  *(Is the proposed lot coverage compliant with the development standards of the respective zone district?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Parking:**  The number of on-site parking spaces shall be provided in accordance with Table[15-2409](https://library.municode.com/ca/fresno/codes/code_of_ordinances?nodeId=MUCOCHFRCA_CH15CIDECOINRE_PTIIIREAPSOALDI_ART24PALO_S15-2409REPAOTDI) of the FMC; and in accordance with the standards and locational requirements included within Article 24 of Chapter 15 of the FMC.  *(Is on-site/off-street parking provided in accordance with the requirements of the FMC?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Street Type:**  Local  Major  Private  An on-site vehicular turnaround is required for all projects proposing ingress/egress from a major street.  *(Is vehicular accessibility for ingress/egress compliant with FMC requirements which prohibit backing out onto a Major Street?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Landscaping & Irrigation:**  Pursuant to Section 15-2305-B-2 of the FMC, for **all residential uses that are single-family dwellings, and duplexes**, all required front and street-facing side yards, except for areas used for exit and entry shall be landscaped. If a solid fence is provided on a street side yard property line, the street side yard is not required to be landscaped.  Pursuant to Section 15-2308 of the FMC, trees shall be provided as follows:   1. **Residential Single-Family Districts.** A minimum of two trees per lot and if part of a Planned Development then trees may be provided in common areas in addition to the two provided on each residential lot. 2. One of the required trees must be oriented to the street.   (*Please note that trees must be located within 10 feet of public rights-of-way for qualification/consideration as a street-tree.*) (*Emphasis added*).   1. One of the required trees must be a passive solar-oriented tree (Deciduous) or a wind buffer-oriented tree (Evergreen). 2. **Multi-Family Residential and Mixed-Use Districts.** A minimum of one tree per unit.   Pursuant to Section 15-2309 of the FMC, new landscaping shall have an automatic irrigation system designed to provide adequate and efficient coverage of all plant material.  *(Is landscaping and irrigation provided in accordance with the requirements of the FMC?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  /  N/A |  | **Planned Development:**  Minimum lot area, yard requirements, building heights, and other physical development standards shall be as prescribed by the PD Plan.  Planned Development / PUD applicable?  Conditional Use Permit (CUP) No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  *(Are all existing and/or proposed structures compliant with the respective development standards for the subject property as established through an approved Planned Development?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  /  N/A |  | **Design Review:**  Properties located within an area which requires review by a Design Review Committee pursuant to an adopted/operative plan shall be scheduled for consideration by the respective Committee prior to issuance of building permits; and, shall be subject to all applicable policies, processes and procedures for the respective plan.  Design Review applicable?  Design Review Committee and Staff Liaison Contact Information: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  *(Has a project, which requires Design Review, been reviewed and considered by the respective Committee; and, stamped signatures provided on the permit plans?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Fresno Metropolitan Flood Control District (FMFCD) Fees:**  The proposed development shall pay drainage fees pursuant to the FMFCD Drainage Fee Ordinance prior to issuance of a building permit at the rates in effect at the time of such issuance.  *(Have all FMFCD fees applicable to the subject property been paid? If answer is “no,” then include applicable fee amount in comments section herein below with directions regarding options for fee payment.)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Special Requirements:**  When an Enhanced Streetscape has been approved and is provided uniformly within a residential tract, the minimum lot size and minimum front setbacks for individual lots may be reduced as shown on Tables 15-903-1 and 15-903-2 of the FMC.  *(Please Note: The alternative front yard setback standards afforded through an Enhanced Streetscape may not be applied to infill lots where a prevailing block setback is applicable.)*  Enhanced Streetscape Applicable?  Where 50 percent or more of the single-family homes on the same blockface have a direct path from the main pedestrian entrance to the public sidewalk, new homes shall also provide such a path. In such circumstances the driveway shall not satisfy this requirement (§15-904-C of FMC).  Direct path from entrance to public sidewalk applicable?  Where 50 percent or more of the lots on the same blockface have a driveway design with a landscaped strip in the center (commonly known as ribbon drives or Hollywood drives), new driveways shall also include a central landscape strip (§15-904-D of FMC).  Central landscape strip for driveway applicable?  Where 50 percent or more of the lots on the same blockface have been improved with buildings, the Building Materials and Finishes and Windows standards included within Section 15-905-B of the FMC shall apply. Compliance shall be determined at the discretion of the Review Authority.  Façade Compatibility for Developed Blocks Applicable?  *(Does the proposed project comply with all codified development standards, as referenced within the special requirements included herein above?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Fences:**  *(Do they depict all proposed or existing fencing? Does it comply with Section 15-2006?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Notes and Exhibit Information:**  *(Are all required notes and property information included on the site plan?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |

1. **DUPLEX (APPLICABLE TO ONLY DUPLEX PROJECTS IN RM DISTRICTS)**

*(“No” answers require that comments be provided within the respective area of the checklist below. Applicants shall demonstrate compliance with any comments provided within this checklist prior to issuance of building permits.)*

|  |  |  |  |
| --- | --- | --- | --- |
| Yes / No  / |  | **Density: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  Except where a density bonus is granted in compliance with the City's density bonus regulations, the total number of dwelling units shall not exceed the maximum number permitted by the General Plan density for the subject property.  Density Bonus Applicable? / Bonus %: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  *(Is the proposed project density consistent with the respective General Plan designation and zoning allowances for the subject property?)*  [*Link to guidance document for determining residential density.*](file:///\\fresno.gov\data\DEV\Develop\Plan\Common\%60%60DRC\DRC%20document%20templates\nothing)  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* | |
| Yes / No  / |  | **Parking, from back of sidewalk or curb:**  Parking shall be setback as shown on Table 15-1003 of the FMC, except as provided in Section 15-1004-C of the FMC.  *(Are all parking facilities proposed in conjunction with the project compliant with the development standards of the respective zone district?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Frontage Coverage: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  Frontage coverage is the portion of the primary enclosed ground floor linear building façade that is located within the area between the minimum and maximum front setback.  *(Is the proposed frontage coverage compliant with the development standards of the respective zone district, except as may be provided in accordance with Section 15-317 of the FMC?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **On-Site Open Space: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  The minimum amount of on-site open space required shall be based on the size of the lot, as shown in Table 15-1003. This requirement may be met through a combination of private open space, common open space, or public plazas as provided within Section 15-1004-D of the FMC.  *(Is the amount of the proposed on-site open space, including the minimum area and dimension requirements, compliant with the development standards of the respective zone district?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Special Requirements:**  Where an RM district abuts an RS District, the standards included within Section 15-1004-A of the FMC related to heights, setbacks, landscaping and screening shall apply:  RS Transition Standards Applicable?  Pedestrian access to public streets shall be provided at the preference of the applicant by either the Flexibility Option or the Certainty Option pursuant to Section 15-1004-E of the FMC:  Flexibility Option Applicable? /  Certainty Option Applicable  Appropriate façade design shall be provided at the preference of the applicant by either the Flexibility Option or the Certainty Option pursuant to Section 15-1005 of the FMC:  Flexibility Option Applicable? /  Certainty Option Applicable  *(Does the proposed project comply with all codified development standards, as referenced within the special requirements included herein above?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |
| Yes / No  / |  | **Fences:**  *(Do they depict all proposed or existing fencing? Does it comply with Section 15-2006?)*  ***Comments:*** *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* |

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Please note that this correction packet and related comments represent the results of formal Zone Clearance review of the proposed project. If you have any questions about any of the comments contained in this packet, please do not hesitate to contact me at the number above or via e-mail at Planner@fresno.gov.